

REMARKS

Claim 1 – 23 are pending.

Claims 1—23 are rejected on the grounds of nonstatutory obviousness-type double patenting.

Applicant respectfully traverses the outstanding rejection and requests reconsideration and withdrawal thereof in view of the above amendments and following remarks.

Amendments to the Claims

- No new matter has been added.
- The claims have not been amended in light of the Terminal Disclaimer filed herewith

No amendment was made for the purpose of narrowing the scope of any claim, unless Applicant had argued herein that such amendment was made to distinguish over a particular reference or combination of references.

Claim Rejections

The Office Action rejects claims 1-23 on the grounds of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-8 of U.S. Patent No. 6,658,272 B1 from which this application claims priority.

This rejection is respectfully traversed.

Terminal Disclaimer

The Office Action rejects claims 1-23 under the judicially created doctrine of obviousness type double patenting over claims 1-8 of U.S. Patent 6,658,272. A Terminal Disclaimer is enclosed herewith that disclaims the terminal part of any patent granted on the instant application which would extend beyond the expiration date of the ***. Accordingly, Applicants respectfully request withdrawal of the rejection under the judicially created doctrine of obviousness type double patenting.

CONCLUSION

Based on the foregoing amendments and remarks, Applicants respectfully submit this application is in condition for allowance. Favorable consideration and prompt allowance of claims 1 – 23 are earnestly solicited.

The Commissioner is hereby authorized to deduct any additional fees arising as a result of this Amendment or any other communication from or to credit any overpayments to Deposit Account No. 50-2117.

Respectfully submitted,

/DAVID S NOSKOWICZ/

David S. Noskowitz
Agent for Applicant
Registration No. 55,503

Dated:

Phone No. (847) 523-2333
Fax No. (847) 523-2350

Serial No. 10/675,786

Page 12

Please send correspondence to:

Motorola, Inc.

Intellectual Property

600 North U.S. Highway 45

Libertyville, IL 60048